



FIDUCIARY BOARD

Arizona State Courts Building
1501 West Washington Street, Phoenix, Arizona 85007
Hearing Room 109

January 8, 2015
10:30 A.M.

Approved Regular Meeting Minutes

MEMBER ATTENDANCE:

Present:

Deborah Primock, Chair
Elaine Acosta Sweet
Catherine Robbins
Sherry Reed*
Gary Krcmarik

Telephonically Present:

Mark Rubin
Emily Kile
Leonard Montanaro
Honorable Jay Polk
Diane Corry

Absent:

*Recused herself for entire
meeting

OTHER ATTENDEES:

AOC Staff:

Mark Wilson
Michelle Martinez
Debbie MacDougall
Kimberly Siddall
Anne Hunter
Wendy Reiter
Pasquale Fontana
Hal White
Arnita Oliver

Guests:

Pamela Phillips
Shawnie Patterson
Alisa Gray
Larry Scaringelli
Stephanie McCollum
Taylor Dudley
Jeff Manley

CALL TO ORDER

Called to Order By: Deborah Primock, Chair

Time: 10:30 a.m.

1) REVIEW AND APPROVAL OF MINUTES:

1-A: *Review, discussion, and possible action regarding the regular session minutes of the meeting held on November 13, 2014.*

Individual Addressing the Board: Deborah Primock

Discussion: The Board requests that a correction be made to the minutes.

Motion: Move to defer the approval of regular session minutes of the meeting on November 13, 2014.

Motion Proposals: First Elaine Acosta Sweet
Second Gary Krcmarik

Motion Results: Pass

2) PENDING COMPLAINTS:

2-A: *Review, discussion and possible action regarding Denice Shepherd concerning complaint number 14-0009.*

Individual Addressing the Board: Hal White

Discussion: **Complaint Number 14-0009** – Denice Shepherd - It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding that Denice Shepherd has not committed the alleged acts of misconduct as detailed in the Investigation Summary and Allegation Report.

It is further recommended the Board enter an order dismissing complaint number 14-0009.

Motion: Move to accept staff's recommendation.

Motion Proposals: First Leonard Montanaro
Second Judge Jay Polk

Motion Results: Recused Mark Rubin
Pass

2-B: *Review, discussion, interview and possible action regarding Stephanie McCollum concerning complaint number 09-0007.*

Individual Addressing the Board: Pasquale Fontana

Discussion: **Complaint Number 09-0007** – Stephanie McCollum:

Attorneys Larry Scaringelli and Alisa Gray are present and address the Board.

It is recommended that the Board defer this complaint until the next meeting.

Motion: Move to accept staff's recommendation.

Motion Proposals: First Emily Kile
Second Gary Krcmarik
Recused Sherry Reed

Motion Results: Pass

3) INITIAL LICENSURE AND ELIGIBILITY:

3-A: *Review, discussion and possible action regarding the following applications for initial licensure:*

1. Jared Holland
2. Debra Eazer
3. Nicole Arrow
4. Donovan Curley
5. Pamela Phillips

Individual Addressing the Board: Wendy Reiter

Discussion: It is recommended the Board grant initial licensure to the following applicants:

1. Jared Holland
2. Debra Eazer

Motion: Move to accept staff's recommendation

Motion Proposals: First Elaine Acosta Sweet
Second Catherine Robbins

Motion Results: Pass

Individual Addressing the Board: Wendy Reiter

Discussion: It is recommended the Board grant initial licensure to the following applicant:

3. Nicole Arrow

Motion: Move to accept staff's recommendation

Motion Proposals: First Gray Krcmarik
Second Diana Corry

Motion Results: Pass

Individual Addressing the Board: Wendy Reiter

Discussion: It is recommended the Board grant initial licensure and include the following language to the following applicant:

4. Donovan Curley

The Board has concluded its review of your application and determined you have satisfied the eligibility requirements for licensure. Although the Board is granting you licensure, the Board members have concerns regarding your failure to disclose your misdemeanor conviction and bankruptcy filing. Lack of diligence is not a quality embraced by the Fiduciary Board or your colleagues in the profession, and may jeopardize your success. The Board and the Division place the highest priority on honesty and candor. Your failure to disclose information on future applications may result in denial of your renewal of certification or disciplinary action.

Motion: Move to accept staff's recommendation.

Motion Proposals: First Gary Krcmarik
Second Mark Rubin
Recused Catherine Robbins

Motion Results: Pass

Individual Addressing the Board: Wendy Reiter

Discussion: It is recommended the Board grant initial licensure. to the following applicant:

5. Pamela Phillips

Motion: Move to accept staff's recommendation.

Motion Proposals: First Leonard Montanaro
Second Catherine Robbins
Motion Results: Pass

4) RENEWAL OF LICENSE APPLICATIONS:

4-A: Review, discussion, and possible action regarding the following pending applications for renewal of individual and business licensed fiduciaries:

1. Yolanda Kennedy
2. Ravie Cundiff
3. Debra Bailey
4. Katherine B. Bair
5. Warner Bair
6. Rena Steele
7. Lisa Drutz
8. Mile High Fiduciaries, LLC (Lisa Drutz)
9. Donal D. Childers
10. Childers & Berg, LLC (Donal D. Childers)
11. Thomas Curti
12. Robert Fleming
13. Fleming & Curti, PLC (Robert Fleming)
14. Joan M. Sacramento
15. Jeffrey Manley
16. Cathy E. Simons
17. John Harris
18. Kathleen Moriarity
19. Phyllis Cornell
20. Leigh Bernstein
21. Annette Jones
22. Patricia Grenier
23. Iris V. Crawford Bush
24. Stephanie M. Soumis
25. Diana M. Serna
26. Tamarah L. Fitzsimmons
27. Susan Cooper
28. Diane B. Prescott
29. Patricia Espinoza
30. Pinal County Public Fiduciary (Patricia Espinoza)
31. Mark D. Rubin
32. Mesch, Clark & Rothschild (Mark D. Rubin)
33. Barbara J. Ficker
34. Stewardship Association (Barbara J. Ficker)
35. Nancy Mueller
36. Coconino County Public Fiduciary (Nancy Mueller)

37. Candy M. Wheeler-Ruby
38. Yuma County Public Fiduciary (Candy M. Wheeler-Ruby)
39. Daniel E. Bull
40. Estate Management Services, LLC (Daniel E. Bull)
41. Audrey A. Hanks
42. Professional Community Services, Inc. (Audrey A. Hanks)
43. Rashida K. Suminski
44. Mohave County Public Fiduciary (Rashida K. Suminski)
45. Shari Tomlinson
46. Yavapai County Public Fiduciary (Shari Tomlinson)
47. Jason Cobb
48. Compass Fiduciary Group, LLC (Jason Cobb)
49. Mario Gonzales
50. Sierra Huachuca Arc, Inc. (Mario Gonzales)
51. Donna M. Benjamin
52. D.M. Benjamin CPA, PC (Donna M. Benjamin)
53. Philip Grant
54. Pima County Public Fiduciary (Philip Grant)
55. Patricia D. Hall-defer
56. Apache County Public Fiduciary (Patricia D. Hall)defer
57. Peggy Dovico
58. Statewide Community Services, LLC (Peggy Dovico)
59. Lori Braddock
60. Arizona Department of Veterans Services (Lori Braddock)

Individual Addressing the Board: Kimberly Siddall

Discussion: It is recommended the Board grant renewal of licensure to the following applicants:

1. Yolanda Kennedy
2. Ravie Cundiff
3. Debra Bailey
4. Katherine B. Bair
5. Warner Bair

Motion: Move to accept staff's recommendations.

Motion Proposals: First Gary Krcmarik
Second Catherine Robbins

Motion Results: Pass

Individual Addressing the Board: Kimberly Siddall

Discussion: 6. Rena Steele

It is recommended the Board defer this applicant until the next meeting.

Motion: Move to accept staff's recommendation.

Motion Proposals: First Elaine Acosta Sweet
Second Judge Jay Polk
Recused Catherine Robbins

Motion Results: Pass

Individual Addressing the Board: Kimberly Siddall

Discussion: It is recommended the Board grant renewal of licensure to the following applicants:

7. Lisa Drutz
8. Mile High Fiduciaries, LLC (Lisa Drutz)
9. Donal D. Childers
10. Childers & Berg, LLC (Donal D. Childers)
11. Thomas Curti
12. Robert Fleming
13. Fleming & Curti, PLC (Robert Fleming)

Motion: Move to accept staff's recommendations.

Motion Proposals: First Catherine Robbins
Second Gary Krcmarik
Recused Mark Rubin as to Applicants # 11, 12 and 13

Motion Results: Pass

Individual Addressing the Board: Kimberly Siddall

Discussion: 14. Joan M. Sacramento

It is recommended that the Board defer this applicant until the next meeting.

Motion: Move to accept staff's recommendation.

Motion Proposals: First Catherine Robbins
Second Elaine Acosta Sweet

Motion Results: Pass

Individual Addressing the Board: Kimberly Siddall

Discussion: 15. Jeffrey Manley

Mr. Manley is present. It is recommended that the Board defer this applicant until the next meeting.

Motion: Move to accept staff's recommendation.

Motion Proposals: First Emily Kile
Second Judge Jay Polk

Motion Results: Pass

Individual Addressing the Board: Kimberly Siddall

Discussion: 55. Patricia D. Hall
56. Apache County Public Fiduciary (Patricia D. Hall)

It is recommended that the Board defer this applicant until the next meeting.

Motion: Move to accept staff's recommendation.

Motion Proposals: First Elaine Acosta Sweet
Second Catherine Robbins

Motion Results: Pass

Individual Addressing the Board: Kimberly Siddall

Discussion: It is recommended the Board grant renewal of licensure to the following applicants with the exclusion of the recusals:

16. Cathy E. Simons
17. John Harris
18. Kathleen Moriarity
19. Phyllis Cornell
20. Leigh Bernstein
21. Annette Jones
22. Patricia Grenier
23. Iris V. Crawford Bush
24. Stephanie M. Soumis
25. Diana M. Serna
26. Tamarah L. Fitzsimmons
27. Susan Cooper
28. Diane B. Prescott
29. Patricia Espinoza
30. Pinal County Public Fiduciary (Patricia Espinoza)
31. Mark D. Rubin
32. Mesch, Clark & Rothschild (Mark D. Rubin)
33. Barbara J. Ficker
34. Stewardship Association (Barbara J. Ficker)
35. Nancy Mueller
36. Coconino County Public Fiduciary (Nancy Mueller)
37. Candy M. Wheeler-Ruby
38. Yuma County Public Fiduciary (Candy M. Wheeler-Ruby)
39. Daniel E. Bull

40. Estate Management Services, LLC (Daniel E. Bull)
41. Audrey A. Hanks
42. Professional Community Services, Inc. (Audrey A. Hanks)
43. Rashida K. Suminski
44. Mohave County Public Fiduciary (Rashida K. Suminski)
45. Shari Tomlinson
46. Yavapai County Public Fiduciary (Shari Tomlinson)
47. Jason Cobb
48. Compass Fiduciary Group, LLC (Jason Cobb)
49. Mario Gonzales
50. Sierra Huachuca Arc, Inc. (Mario Gonzales)
51. Donna M. Benjamin
52. D.M. Benjamin CPA, PC (Donna M. Benjamin)
53. Philip Grant
54. Pima County Public Fiduciary (Philip Grant)
57. Peggy Dovico
58. Statewide Community Services, LLC (Peggy Dovico)
59. Lori Braddock
60. Arizona Department of Veterans Services (Lori Braddock)

Motion: Move to accept staff's recommendations.

Motion Proposals:

First	Leonard Montanaro
Second	Catherine Robbins
Recused	Mark Rubin as to Applicants #20, 31 and 32
	Catherine Robbins as to Applicants #23, 24, 43 and 44
	Deborah Primock as to Applicants #57 and 58
	Judge Jay Polk as to Applicants #47, 48, 57 and 58

Motion Results: Pass



5) LICENSURE AND ELIGIBILITY:

5-A: *Review, discussion, and possible action regarding request for placement on inactive status received from Linda Bohnet, license number 20751.*

Individual Addressing the Board: Kimberly Siddall

Discussion: It is recommended the Board accept the request to be placed on inactive status for the following applicant:

Lisa Bohnet

Motion: Move to accept staff's recommendation.

Motion Proposals: First Emily Kile
Second Judge Jay M. Polk
Recused Catherine Robbins

Motion Results: Pass

6) ADMINISTRATIVE ISSUES:

5-A: *Update regarding complaints processed by diversion pursuant to Administrative Order 2012-83.*

Individual Addressing the Board: Debbie MacDougall

Discussion: There are no complaints that have been processed by diversion to report to the Board at this time.

CALL TO THE PUBLIC

Individuals Addressing the Board: Attorney Alisa Gray addresses the Board concerning confidentiality of investigative documents.

ADJOURNMENT

Motion: Move to adjourn.

Motion Proposals: First Elaine Acosta Sweet
Second Gary Krcmarik

Motion Results: Pass

Time: 11:59 a.m.

Initials: AO